

**IOWA BOARD OF MEDICAL EXAMINERS  
400 SW 8TH STREET, SUITE C  
DES MOINES, IOWA 50309-4686**

**RULEMAKING STATUS REPORT FOR 2006**

**February 8, 2007**

| <b>Proposal</b>   | <b>Board<br/>Approved<br/>Notice</b> | <b>Notice<br/>Published</b> | <b>ARC #</b>   | <b>Rules<br/>Review<br/>Committee</b> | <b>Public<br/>Hearing</b> | <b>Comment<br/>Deadline<br/>4:30 pm</b> | <b>Rules<br/>Adopted</b> | <b>Rules<br/>Published</b> | <b>Rules<br/>Review<br/>Committee</b> | <b>Effective<br/>Date</b> | <b>Other</b>  |
|---|--------------------------------------|-----------------------------|----------------|---------------------------------------|---------------------------|---|--------------------------|----------------------------|---------------------------------------|---------------------------|---|
| Chapter 2, Public Records and Fair Information Practices  | 1/12/2006                            | 2/15/2006                   | 5110B          | 3/14/2006                             | 3/7/2006                  | 3/7/2006                                | 4/27/2006                | 5/24/2006                  | 6/8/2006                              | 6/28/2006                 | The amendment clarifies that a Board-ordered dismissal on part or all charges in a contested case is public record. Reason: The lack of clarity in this rule has been pointed out to the Board on several occasions.  |
| Chapter 8 - Fees, Chapter 9 - Permanent Physician Licensure, and Chapter 10 - Resident, Special and Temporary Physician Licensure   | 6/22/2006                            | 8/2/2006                    | 5510B<br>5265B | 8/8/2006                              | 8/22/2006                 | 8/22/2006                               | 9/8/2006                 | 9/27/2006                  | 10/17/2006                            | 11/1/2006                 | The proposed amendments address which physicians need an Iowa medical license to practice in Iowa and which ones do not. Reason: To allow more flexibility with temporary licenses.   |
| Chapter 12, Mandatory Reporting and Grounds for Disciplines rescinded and replaced with Chapter 22, "Mandatory Reporting," Chapter 23, "Grounds for Disciplines," Chapter 24, "Complaints and Investigations," Chapter 25, Disciplinary Hearing Procedures," and Chapter 26, "Reinstatement after Disciplinary Action." | 1/12/2006                            | 2/15/2006                   | 5236B          | 3/14/2006                             | 3/7/2006                  | 3/7/2006                                | 6/27/2006                | 7/19/2006                  | 8/8/2006                              | 8/23/2006                 | The current Chapter 12, "Mandatory Reporting and Grounds for Discipline," is rescinded and the space is reserved. New Chapters 22-26 replace Chapter 12; the new chapters change very little from the way the Board currently functions under Chapter 12. - Reason: To update the rules and to make them easier to use by breaking them into more chapters. |

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| Chapter 13, Standards of Practice and Principles of Medical Ethics  | 1/12/2006                            | 2/15/2006                   | 5111B          | 3/14/2006                             | 3/8/2006                  | 3/8/2006                                | 4/27/2006                | 5/24/2006                  | 6/13/2006                             | 10/1/2006                 | Collaborative practice in the community and hospital settings between physicians and pharmacists.<br>Reason: This rule has been negotiated with the Iowa Board of Pharmacy Examiners to regulate an area that is occurring.   |
| EMERGENCY RULES - Chapter 23, Grounds for Discipline, Chapter 24, Complaints and Investigations, and Chapter 25, Contested Case Proceedings | 8/17/2006                            |                             | 5236B          |                                       |                           |   |                          | 9/13/2006                  |                                       | 8/23/2006                 | Change is necessary to correct a wrong word choice in the newly adopted Chapters 24 and 25; the improper word "public" should be replaced with "open" when referring to records in these chapters.  |
| Chapter 23, Grounds for Discipline  | 10/12/2006                           | 11/8/2006                   | 5511B<br>5657B | 12/12/2006                            | 11/28/2006                | 11/28/2006                              | 12/14/2006               | 3/14/07*                   | 3/27/07*                              | 4/18/07*                  | A ground for discipline, that the board may take action if a licensee fails to complete the fingerprint process, was inadvertently left out of the transition from Chapter 12 to the new Chapter 23, and this proposed amendment adds it to the grounds for discipline in Chapter 23. |

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| Chapter 10 Resident, Special and Temporary Physician and Chapter 17 Licensure of Acupuncturists  | 10/12/2006                           | 11/8/2006                   | 5512B<br>5658B | 12/12/2006*                           | 11/28/2006                | 11/28/2006                              | 12/14/2006               | 3/14/07*                   | 3/27/07*                              | 04/18/07*                 | The amendment sets the passing score at 79 on the Internet-based version of the Test of English Proficiency (TOEFL), a requirement of those applicants for an M.D., D.O. or acupuncture license, who have not graduated from medical school in the United States or Canada.<br>Reason: To allow TOEFL takers to qualify for M.D., D.O., or acupuncture licensure based on the Internet-based version of the examination.   |
| Chapter 9 Permanent Physician Licensure, Chapter 10 Resident, Special & Temporary Physician, Chapter 11, Continuing Education and Mandatory Training | 10/12/2006                           | 11/8/2006                   | 5513B<br>5659B | 12/12/06*                             | 11/28/2006                | 11/28/2006                              | 12/14/2006               | 3/14/07*                   | 03/27/07*                             | 4/18/07*                  | The amendments update the definitions of the American Board of Medical Specialties (ABMS) and the American Osteopathic Association (AOA) and allow specialty board certification or re-certification under ABMS or AMA to serve as an equivalent to 50 hours of category 1 activity for purposes of license renewal.<br>Reason: To allow credit for the considerable education effort required by physicians who become board certified or re-certified in a specialty area. |

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| Chapter 22 Mandatory Reporting    | 12/7/2006                   | 1/3/2007            | 5628B | 2/13/07*                     | 1/23/2007         | 1/23/2007                      | 2/7/07*          | 2/28/07*           | 3/13/07*                     | 4/4/07*           | The definition of "reportable conduct" will be amended to mean wrongful acts or omissions that are grounds for license revocation or suspension under these rules or that otherwise constitute negligence, careless acts or omissions demonstrating an inability to practice medicine competently, safely, or within the bounds of medical ethics in keeping with Iowa Code chapters 272C.3(2) and (272C.4(6) and the board's rules 653-23(1)-(36). In addition, the board will amend the rule that established a failure to report child abuse or dependent adult abuse as grounds for discipline so that knowingly and willfully failing to report child abuse or dependent adult abuse may be grounds for discipline. |
| Chapter 23 Grounds for Discipline | 12/7/2006                   | 1/3/2007            | 5629B | 2/13/07*                     | 1/23/2007         | 1/23/2007                      | 2/7/07*          | 02/28/07*          | 3/13/07*                     | 4/4/07*           | The proposed amendment establishes that the board may take disciplinary action against a physician who has entered into a voluntary agreement in another jurisdiction. The amendment lays out how the board identifies whether a physician has entered into a voluntary agreement. In addition, the amendment states that a certified copy of the voluntary agreement shall be considered prima facie evidence.  |

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| Chapter 8, Fees; Chapter 9, Permanent Physician Licensure; Chapter 10, Resident, Special and Temporary Physician Licensure; Chapter 17, Licensure of Acupuncturists | 12/7/2006                            | 1/3/2007                    | 5631B        | 2/13/07*                              | 1/23/2007                 | 1/23/2007                               | 2/7/07*                  | 2/28/07*                   | 3/13/07*                              | 4/4/07*                   | The proposed amendment imposes a service charge for making a service available online, eliminates the current convenience fee and updates the board's website address. |
|   |                                      |                             |              |                                       |                           |   |                          |                            |                                       |                           |  |
|   |                                      |                             |              |                                       |                           |   |                          |                            |                                       |                           |  |
|   |                                      |                             |              |                                       |                           |   |                          |                            |                                       |                           |  |
| *Proposed Date  |                                      |                             |              |                                       |                           |   |                          |                            |                                       |                           |  |